



ReMA Battery Policy Working Group Background Information on State Policy Actions

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Current State Policy Actions: Consumer / Small / Medium Format Batteries

Model legislation is currently being advocated for by the NWRA, PRBA (rechargeable battery manufacturers), Call2Recycle, and other stakeholders. ReMA has expressed concerns that the model would prevent electronics and battery recyclers from continuing to collect batteries directly from businesses and consumers and could create flow control issues for electronics and battery recyclers if they are not chosen by the battery stewardship organization to handle collected materials. The proposed bills also do not address battery-embedded products, and are inconsistent in handling e-mobility devices.

District of Columbia: [2020 Battery Producer Responsibility Law](#)

- Requires drop-off collection of primary batteries and small format rechargeable batteries from consumers.
- Call2Recycle serves as the battery stewardship organization for the program, which [began collecting household batteries](#) at drop-off locations in November 2023.
- [Producers](#) of covered batteries and battery-containing products must be members of the battery stewardship organization.

CalRecycle [Battery Stewardship](#) & [Battery Embedded Products](#) Implementation

- 2022 laws require the creation of an EPR program for non-embedded batteries and for battery-embedded products to be added to the state's existing Advanced Recovery Fee (ARF) program for TVs and monitors.
- [Battery Stewardship](#): CalRecycle held a Battery Stewardship Informal Regulatory Concept Workshop on July 11, 2024 to begin discussion of regulatory concepts for the law. Future activities to be notified through the [Battery Stewardship Listserv](#).
 - Timeline is extremely vague; only date currently listed is that regulations will be effective "no earlier than April 1, 2025".
- [Battery Embedded Products](#): Activities to be notified through the [E-Waste Listserv](#). The timeline lists:
 - January 1, 2025: CalRecycle must establish a process for CEW recyclers to submit payment claims for covered battery-embedded products.
 - July 1, 2025: Manufacturers must list covered and exempt products in an annual notice to retailers and CalRecycle.
 - October 1, 2025: CalRecycle must establish the recycling fee for such.
 - January 1, 2026: Fee required at the time of purchase.
 - April 1, 2026: Payment claims will begin to be accepted.

[Washington Battery Stewardship Program Rulemaking](#)

- [2023 law](#) requires the creation of an EPR program for removable batteries, including medium format batteries.
 - Rule Development began in March 2024 and is scheduled to run through Fall 2025
 - May 6, 2024: Initial Public Meeting
 - June 24, 2024: Meeting discussing program goals and targets, reporting requirements, and plan components.
 - Next meeting scheduled for September 23, 2024 at 11 AM Pacific
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2024 Consumer Battery Legislation

- [Vermont S.254](#) (enacted) Updated the state's existing non-rechargeable battery program to include rechargeable batteries.
- [CT HB 5226](#): Died after a coalition of ReMA members and other stakeholders raised concerns over flow control and lack of provisions addressing continued market access for electronics and battery recyclers.
- [Illinois SB 3686](#) (enacted) Portable and Medium-Format Battery Stewardship Act.
 - ReMA will seek amendments in 2025 to ensure continued market access by electronics and battery recyclers.
 - July 1, 2025: Battery Stewardship Organizations must submit plans for approval.
 - Jan 1, 2026: Producers must participate in an approved stewardship plan.
 - Jan 1, 2027: Batteries and battery-containing products must be marked with an identification of the producer.
 - July 1, 2027: BSO must complete an assessment of EOL management of embedded batteries that are not easily removable.
 - Jan 1, 2028: Covered batteries must be managed according to plans.
 - Jan 1, 2029: Batteries and battery-containing products must be marked with proper labeling to ensure collection and recycling, to be established by the IL Pollution Control Board.
- [PA HB 2241](#) (pending committee action in Senate): ReMA Mid-Atlantic and Pittsburg Chapters are seeking amendments to:
 - Enable recyclers to collect batteries directly from consumers.
 - Limit battery stewardship organizations' power to terminate collection sites and services.
 - Encourage better design for recycling and safety standards for batteries and products that house batteries.
 - Give battery manufacturers and producers the option to work with stewardship organizations or submit battery recycling plans to the state.
 - Allow for-profit and non-profit organizations to both operate as battery stewardship organizations.

Current State Policy Actions: EV / Hybrids

States are actively moving forward with legislation directly regulating EOL management practices for EV / hybrid propulsion batteries and/or safety requirements for recyclers, repair shops, first responders, etc., and are looking for a model to follow in developing these.

[2023 New Jersey S3723](#): Enacted as the nation's first EPR requirements for propulsion batteries in the 2023 session.

- Creates a voluntary, owner-initiated takeback program.
- ReMA's NJ Chapter was active in ensuring that final amendments did not create a mandatory program for all propulsion batteries.
- Rules must cover EOL management of producer's used propulsion batteries that are offered to the producer for take-back by the current battery owner.
- State Authorization: Statute includes requirement that DEP authorize vehicle recyclers to handle, transport, and properly manage used propulsion batteries through "environmentally sound management practices".
- Safety: Requirements for battery recyclers reference mandatory safety training which the DEP may require, develop, or select appropriate training modules for, or allow a recycler to submit its own safety training plan for approval.
- DfR: Producers must label with information determined by DEP; no other statutory requirements re DfR.
- NJ DEP has not made any official announcements of timeline / rulemaking

- DEP needs assessment was supposed to commence within 6 months after the effective date (January 8, 2024), and be completed no later than 18 months after the effective date.
- 18 months after the completion of the needs assessment, DEP to adopt regulations establishing standards and criteria for battery management plans.
- Producers must submit plans within 190 days of the adoption of rules.
- DEP must approve or disapprove of plans within 1 year of receipt.
- 2026: Producers must begin annual reports on propulsion batteries in NJ.
- 2027: Ban on disposing of propulsion batteries as solid waste unless authorized by the DEP.

[2024 Illinois SB 3481](#): Enacted Aug 9, Effective Jan 1, 2025

- Requires EV "battery storage sites" (automotive parts recyclers) at which 5,000 kg or more of used EV batteries are stored at any one time to register with the IL EPA and maintain records on the weight or volume of batteries:
 - Received at the site each week;
 - Leaving the site each week; and
 - Remaining at the site at the end of each week.
- Requires the IL EPA propose rules for the operation of battery storage sites by Jan 2026, including requirements for EOL battery receipt, handling, storage, and transfer; standards for fire prevention; requirements for contingency planning and emergency response; recordkeeping; reporting; and financial assurance.

[2024 California SB 615](#): Currently pending 3rd reading in Assembly. Current text:

- Requires vehicle traction batteries to be recovered, when possible, reused, repaired, repurposed, or remanufactured and eventually recycled at the end of their useful life.
- Requires battery suppliers to be responsible for the end-of-life management of a vehicle traction battery.
- Imposes duties on secondary handlers (dismantlers and vehicle recyclers) to report specified information.
- Requires battery suppliers to develop a battery management plan for submission and approval by the Dept. of Toxic Substances Control.
- Establishes Vehicle Traction Battery Recovery Fund, and requires battery suppliers to pay DTSC's regulatory costs.

Studies / Other States to Watch for Future Legislation

- [MD HB 468](#) (enacted) [MN HF 3911](#) (enacted, line 59.13), [NH SB 430](#) (enacted), [VT S.254](#) (enacted, Sec. 3, page 33), [MA HB 3178](#) (active): study requirements for EVs / critical minerals / first responder safety.
- [NY S154](#) sets accredited testing laboratory requirements for the sale or use of batteries or second-use batteries for e-bikes, e-scooters, and similar. [S8742](#) and [S8743](#) address fire prevention and safety training for li-ion battery incidents.
- [Washington Battery Stewardship & EV Battery Management Study](#): final report in May 2024 recommended:
 - Training, education, and resources for responders and automotive recyclers.
 - Determining who should have financial responsibility and liability for EV batteries.
 - Forming a Washington State EV Battery Management Task Force with a broad set of stakeholders to address future policy needs.
- Hawaii, Florida, and West Virginia also introduced bills focused on EOL management / safety requirements for propulsion batteries.